

Enforcement Fairness Act of 1996, 5 U.S.C. § 801(a)(1)(A). A copy of this FRFA will also be published in the Federal Register.

APPENDIX C

Chapter I of Title 47 of the Code of Federal Regulations, Parts 80 and 95 are amended as follows:

Part 80 - Stations in the Maritime Services

1. The authority citation for Part 80 continues to read as follows:

AUTHORITY: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609; 3 UST 3450, 3 UST 4726, 12 UST 2377.

2. Section 80.385 is amended by revising footnote 2 to the table in paragraph (a)(2) to read as follows:

§ 80.385 Frequencies for automated systems.

* * * * *

(a) * * *

² Coast station operation on frequencies in Groups C and D are not currently assignable and are shared on a secondary basis with the Low Power Radio Service in Part 95 of this chapter. Frequencies in the band 216.750-217.000 MHz band are available for low power point-to-point network control communications by AMTS coast stations under the Low Power Radio Service (LPRS). LPRS operations are subject to the conditions that no harmful interference is caused to the United States Navy's SPASUR radar system (216.88-217.08 MHz) or to TV reception within the Grade B contour of any TV channel 13 station or within the 68 dBu predicted contour of any low power TV or TV translator station operating on channel 13.

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Part 95 - Personal Radio Services

1. The authority citation for Part 95 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303.

2. Section 95.401 is amended by adding a new paragraph (c) to read as follows:

§ 95.401 (CB Rule 1) What are the Citizens Band Radio Services?

* * * * *

(c) The Low Power Radio Service (LPRS) - a private, short-distance communication service providing auditory assistance to persons with disabilities, persons who require language translation, and persons in educational settings, health care assistance to the ill, law enforcement tracking services in cooperation with law enforcement, and point-to-point network control communications for Automated Marine Telecommunications System (AMTS) coast stations licensed under Part 80 of this chapter. The rules for this service are listed under subpart G of this part. Two-way voice communications are prohibited.

3. Section 95.601 is revised to read as follows:

§ 95.601 Basis and purpose.

These rules provide the technical standards to which each *transmitter* (apparatus that converts electrical energy received from a source into RF (radio frequency) energy capable of being radiated) used or intended to be used in a station authorized in any of the Personal Radio Services must comply. They also provide requirements for obtaining type acceptance or type certification for such transmitters. The Personal Radio Services are the GMRS (General Mobile Radio Service), the Family Radio Service (FRS), the R/C (Radio Control Radio Service), the CB (Citizens Band Radio Service), and the Low Power Radio Service (LPRS). For operating rules, see Part 95, subpart A-GMRS; subpart B-FRS; subpart C-R/C; subpart D-CB; and subpart G-LPRS.

4. Section 95.603 is amended by adding paragraph (e) to read as follows:

§ 95.603 Type acceptance or certification required.

* * * * *

(e) Each Low Power Radio Service transmitter (a transmitter that operates or is intended to operate in the LPRS) must be type accepted.

5. Section 95.605 is revised to read as follows:

§ 95.605 Type acceptance and certification procedures.

Any entity may request type acceptance for its transmitter when the transmitter is used in the GMRS, R/C, CB, IVDS, or LPRS following the procedures in Part 2 of this chapter. Any entity may request certification for its transmitter when the transmitter is used in the FRS following the procedures in part 2 of this chapter

6. Sections 95.629 through 95.671 are redesignated as 95.631 through 95.673 respectively, and a new Section 95.629 is added to read as follows:

§ 95.629 LPRS transmitter frequencies.

(a) LPRS transmitters may operate on any frequency listed in paragraphs (b), (c), and (d) of this section. Channels 19, 20, 50, and 151-160 are available exclusively for law enforcement tracking purposes. AMTS transmissions are limited to the 216.750-217.000 MHz band for low power point-to-point network control communications by AMTS coast stations. Other AMTS transmissions in the 216-217 MHz band are prohibited.

(b) Standard band channels.

(i) The following table indicates standard band frequencies. The channel bandwidth is 25 kHz.

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
1	216.0125
2	216.0375
3	216.0625
4	216.0875
5	216.1125
6	216.1375
7	216.1625
8	216.1875
9	216.2125
10	216.2375
11	216.2625
12	216.2875
13	216.3125
14	216.3375
15	216.3625
16	216.3875
17	216.4125

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
18	216.4375
19	216.4625
20	216.4875
21	216.5125
22	216.5375
23	216.5625
24	216.5875
25	216.6125
26	216.6375
27	216.6625
28	216.6875
29	216.7125
30	216.7375
31	216.7625
32	216.7875
33	216.8125
34	216.8375
35	216.8625
36	216.8875
37	216.9125
38	216.9375
39	216.9625
40	216.9875

(ii) LPRS transmitters operating on standard band channels must be maintained within a frequency stability of 50 parts per million

(c) Extra band channels.

(i) The following table indicates extra band frequencies. The channel bandwidth is 50 kHz.

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
41	216.025
42	216.075
43	216.125
44	216.175
45	216.225
46	216.275
47	216.325
48	216.375
49	216.425
50	216.475

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
51	216.525
52	216.575
53	216.625
54	216.675
55	216.725
56	216.775
57	216.825
58	216.875
59	216.925
60	216.975

(ii) LPRS transmitters operating on extra band channels must be maintained within a frequency stability of 50 parts per million.

(d) Narrowband channels.

(i) The following table indicates narrowband frequencies. The channel bandwidth is 5 kHz and the authorized bandwidth is 4 kHz

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
61	216.0025
62	216.0075
63	216.0125
64	216.0175
65	216.0225
66	216.0275
67	216.0325
68	216.0375
69	216.0425
70	216.0475
71	216.0525
72	216.0575
73	216.0625
74	216.0675
75	216.0725
76	216.0775
77	216.0825
78	216.0875
79	216.0925
80	216.0975
81	216.1025
82	216.1075
83	216.1125

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
84	216.1175
85	216.1225
86	216.1275
87	216.1325
88	216.1375
89	216.1425
90	216.1475
91	216.1525
92	216.1575
93	216.1625
94	216.1675
95	216.1725
96	216.1775
97	216.1825
98	216.1875
99	216.1925
100	216.1975
101	216.2025
102	216.2075
103	216.2125
104	216.2175
105	216.2225
106	216.2275
107	216.2325
108	216.2375
109	216.2425
110	216.2475
111	216.2525
112	216.2575
113	216.2625
114	216.2675
115	216.2725
116	216.2775
117	216.2825
118	216.2875
119	216.2925
120	216.2975
121	216.3025
122	216.3075
123	216.3125
124	216.3175
125	216.3225
126	216.3275

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
127	216.3325
128	216.3375
129	216.3425
130	216.3475
131	216.3525
132	216.3575
133	216.3625
134	216.3675
135	216.3725
136	216.3775
137	216.3825
138	216.3875
139	216.3925
140	216.3975
141	216.4025
142	216.4075
143	216.4125
144	216.4175
145	216.4225
146	216.4275
147	216.4325
148	216.4375
149	216.4425
150	216.4475
151	216.4525
152	216.4575
153	216.4625
154	216.4675
155	216.4725
156	216.4775
157	216.4825
158	216.4875
159	216.4925
160	216.4975
161	216.5025
162	216.5075
163	216.5125
164	216.5175
165	216.5225
166	216.5275
167	216.5325
168	216.5375
169	216.5425

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
170	216.5475
171	216.5525
172	216.5575
173	216.5625
174	216.5675
175	216.5725
176	216.5775
177	216.5825
178	216.5875
179	216.5925
180	216.5975
181	216.6025
182	216.6075
183	216.6125
184	216.6175
185	216.6225
186	216.6275
187	216.6325
188	216.6375
189	216.6425
190	216.6475
191	216.6525
192	216.6575
193	216.6625
194	216.6675
195	216.6725
196	216.6775
197	216.6825
198	216.6875
199	216.6925
200	216.6975
201	216.7025
202	216.7075
203	216.7125
204	216.7175
205	216.7225
206	216.7275
207	216.7325
208	216.7375
209	216.7425
210	216.7475
211	216.7525
212	216.7575

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
213	216.7625
214	216.7675
215	216.7725
216	216.7775
217	216.7825
218	216.7875
219	216.7925
220	216.7975
221	216.8025
222	216.8075
223	216.8125
224	216.8175
225	216.8225
226	216.8275
227	216.8325
228	216.8375
229	216.8425
230	216.8475
231	216.8525
232	216.8575
233	216.8625
234	216.8675
235	216.8725
236	216.8775
237	216.8825
238	216.8875
239	216.8925
240	216.8975
241	216.9025
242	216.9075
243	216.9125
244	216.9175
245	216.9225
246	216.9275
247	216.9325
248	216.9375
249	216.9425
250	216.9475
251	216.9525
252	216.9575
253	216.9625
254	216.9675
255	216.9725

<u>Channel No.</u>	<u>Center frequency (MHz)</u>
256	216.9775
257	216.9825
258	216.9875
259	216.9925
260	216.9975

(ii) LPRS transmitters operating on narrowband channels must be maintained within a frequency stability of 1.5 parts per million

7. Section 95.631 is amended by adding a new paragraph (g) to read as follows:

§ 95.631 Emission types.

* * * * *

(g) An LPRS station may transmit any emission type appropriate for communications in this service. Two-way voice communications, however, are prohibited.

8. Section 95.633 is amended by adding a new paragraph (d) to read as follows:

§ 95.633 Emission bandwidth.

* * * * *

(d) For transmitters in the LPRS:

(1) The authorized bandwidth for narrowband frequencies is 4 kHz and the channel bandwidth is 5 kHz

(2) The channel bandwidth for standard band frequencies is 25 kHz.

(3) The channel bandwidth for extra band frequencies is 50 kHz.

(4) AMTS stations may use the 216.750-217.000 MHz band as a single 250 kHz channel so long as the signal is attenuated as specified in § 95.635(c) of this part.

9. Section 95.635 is amended by adding a new paragraph (c) to read as follows:

§ 95.635 Unwanted radiation.

* * * * *

(c) For transmitters designed to operate in the LPRS, emissions shall be attenuated in accordance with the following:

(1) Emissions for LPRS transmitters operating on standard band channels (25 kHz) shall be attenuated below the unmodulated carrier in accordance with the following:

(i) Emissions 12.5 kHz to 22.5 kHz away from the channel center frequency: at least 30 dB;

(ii) Emissions more than 22.5 kHz away from the channel center frequency: at least $43 + 10\log(\text{carrier power in watts})$ dB.

(2) Emissions for LPRS transmitters operating on extra band channels (50 kHz) shall be attenuated below the unmodulated carrier in accordance with the following:

(i) Emissions 25 kHz to 35 kHz from the channel center frequency: at least 30 dB;

(ii) Emissions more than 35 kHz away from the channel center frequency: at least $43 + 10\log(\text{carrier power in watts})$ dB.

(3) Emissions for LPRS transmitters operating on narrowband channels (5 kHz) shall be attenuated below the power (P) of the highest emission contained within the authorized bandwidth (4 kHz) in accordance with the following:

(i) On any frequency within the authorized bandwidth: Zero dB;

(ii) On any frequency removed from the center of the authorized bandwidth by a displacement frequency (f_d in kHz) of more than 2 kHz up to and including 3.75 kHz: The lesser of $30 + 20(f_d - 2)$ dB, or $55 + 10 \log(P)$, or 6 dB.

(iii) On any frequency beyond 3.75 kHz removed from the center of the authorized bandwidth: At least $55 + 10 \log(P)$ dB;

(iv) Emission power (P) shall be measured in peak values.

(4) Emissions from AMTS transmitters using a single 250 kHz channel shall be attenuated below the unmodulated carrier in accordance with the following:

(i) Emissions from 125 kHz to 135 kHz away from the channel center frequency: at least 30 dB;

(ii) Emissions more than 135 kHz away from the channel center frequency: at least 43

+ 10log(carrier power in watts) dB.

10. Section 95.639 is amended by adding a new paragraph (e) to read as follows:

§ 95.639 Maximum transmitter power.

* * * * *

(e) The maximum transmitter output power authorized for LPRS stations is 100 mW.

11. Section 95.649 is revised to read as follows:

§ 95.649 Power capability.

No CB, R/C, LPRS transmitter, or FRS unit shall incorporate provisions for increasing its transmitter power to any level in excess of the limits specified in § 95.639.

12. Section 95.651 is revised to read as follows:

§ 95.651 Crystal control required.

All transmitters used in the Personal Radio Services must be crystal controlled, except an R/C station that transmits in the 26-27 MHz frequency band, a FRS unit, and a LPRS unit.

13. A new Subpart G is added to read as follows:

Subpart G Low Power Radio Service (LPRS).

GENERAL PROVISIONS

- § 95.1001 Eligibility.**
- § 95.1003 Authorized locations.**
- § 95.1005 Station identification.**
- § 95.1007 Station inspection.**
- § 95.1009 Permissible communications.**
- § 95.1011 Channel use policy.**
- § 95.1013 Antennas.**
- § 95.1015 Disclosure policies.**
- § 95.1017 Labeling requirements.**

Subpart G Low Power Radio Service (LPRS).**GENERAL PROVISIONS****§ 95.1001 Eligibility.**

An entity is authorized by rule to operate a LPRS transmitter and is not required to be individually licensed by the FCC if it is not a representative of a foreign government and if it uses the transmitter only in accordance with Section 95.1009 of this Part. Each entity operating a LPRS transmitter for AMTS purposes must hold an AMTS license under Part 80 of this chapter.

§ 95.1003 Authorized locations.

LPRS operation is authorized:

- (a) Anywhere CB station operation is permitted under 95.405(a); and,
- (b) Aboard any vessel or aircraft of the United States, with the permission of the captain, while the vessel or aircraft is either travelling domestically or in international waters or airspace.

§ 95.1005 Station identification.

An LPRS station is not required to transmit a station identification announcement.

§ 95.1007 Station inspection.

All LPRS system apparatus must be made available for inspection upon request by an authorized FCC representative.

§ 95.1009 Permissible communications.

LPRS stations may transmit voice, data, or tracking signals as permitted below. Two-way voice communications are prohibited.

- (a) Auditory assistance communications (including but not limited to applications such

as assistive listening devices, audio description for the blind, and simultaneous language translation) for:

(i) Persons with disabilities. In the context of the LPRS, the term "disability" has the meaning given to it by section 3(2)(A) of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12102(2)(A)), *i.e.*, persons with a physical or mental impairment that substantially limits one or more of the major life activities of such individuals:

(ii) Persons who require language translation; or

(iii) Persons who may otherwise benefit from auditory assistance communications in educational settings.

(b) Health care related communications for the ill.

(c) Law enforcement tracking signals (for homing or interrogation) including the tracking of persons or stolen goods under authority or agreement with a law enforcement agency (federal, state, or local) having jurisdiction in the area where the transmitters are placed; or,

(d) AMTS point-to-point network control communications.

§ 95.1011 Channel use policy.

(a) The channels authorized to LPRS systems by this part of the FCC Rules are available on a shared basis only and will not be assigned for the exclusive use of any entity.

(b) Those using LPRS transmitters must cooperate in the selection and use of channels in order to reduce interference and make the most effective use of the authorized facilities. Channels must be selected in an effort to avoid interference to other LPRS transmissions.

(c) Operation is subject to the conditions that no harmful interference is caused to the United States Navy's SPASUR radar system (216.88-217.08 MHz) or to TV reception within the Grade B contour of any TV channel 13 station or within the 68 dBu predicted contour of any low power TV or TV translator station operating on channel 13.

§ 95.1013 Antennas.

- (a) The maximum allowable ERP for a station in the LPRS is 100 mW.
- (b) AMTS stations must employ directional antennas
- (c) Antennas used with LPRS units must comply with the following:
 - (i) For LPRS units operating entirely within an enclosed structure, e.g., a building, there is no limit on antenna height.
 - (ii) For LPRS units not operating entirely within an enclosed structure, the tip of the antenna shall not exceed 30.5 meters (100 feet) above ground. In cases where harmful interference occurs the FCC may require that the antenna height be reduced.
 - (iii) The height limitation in (ii) does not apply to LPRS units in which the antenna is an integral part of the unit.

§ 95.1015 Disclosure policies.

(a) Manufacturers of LPRS transmitters used for auditory assistance, health care assistance, and law enforcement tracking purposes must include with each transmitting device the following statement: "This transmitter is authorized by rule under the Low Power Radio Service (47 C.F.R. Part 95) and must not cause harmful interference to TV reception or United States Navy SPASUR installations. You do not need an FCC license to operate this transmitter. This transmitter may only be used to provide: auditory assistance to persons with disabilities, persons who require language translation, or persons in educational settings; health care services to the ill; law enforcement tracking services under agreement with a law enforcement agency; or automated maritime telecommunications system (AMTS) network control communications. Two-way voice communications and all other types of uses not mentioned above are expressly prohibited "

(b) Prior to operating a LPRS transmitter for AMTS purposes, an AMTS licensee must notify, in writing, each television station that may be affected by such operations, as defined in § 80.215(h) of this chapter. The notification provided with the station's license application is sufficient to satisfy this requirement if no new television stations would be affected.

§ 95.1017 Labeling requirements.

- (a) Each LPRS transmitting device shall bear the following statement in a conspicuous

location on the device:

This device may not interfere with TV reception or federal government radar, and must accept any interference received, including interference that may cause undesired operation.

(b) Where an LPRS device is constructed in two or more sections connected by wires and marketed together, the statement specified in this section is required to be affixed only to the main control unit.

(c) When the LPRS device is so small or for such use that it is not practicable to place the statement specified in the section on it, the statement must be placed in a prominent location in the instruction manual or pamphlet supplied to the user or, alternatively, shall be placed on the container in which the device is marketed.

§ 95.1019 Marketing limitations.

Transmitters intended for operation in the LPRS may be marketed and sold only for those uses described in § 95.1109 of this chapter.